IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 10773 of 2004

Between:

Toddy Tappers Coop.Society Toddy Group, Jaffergunj,

Hyderabad, Rep.by its President S.M.Ramakrishna Goud, S/o.late

S.M.Ramulu Goud, Age:47 Yrs.,R/o.17-7-352, Yakathpura,

Hyderabad.

..... PETITIONER

AND

1 The Superintendent of Prohibition & Excise, Hyderabad Dist. at Narayanaguda, Hyd.
2 The Dist.Collector (Proh&Excise), Hyderabad Dist.,Nampally Station Road, Hyderabad.
3 The Commissioner of Proh & Excise, Govt. of A.P.,at Nampally, Hyd.
4 Sri Y.Darshan Goud, S/o.Sambasividu Goud, Ex-president of Toddy Group & Managing Committee,17-245, Dabeerpura, Sunar Galli, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus directing the respondents No.1 to 3 to recover Rs.8,22,000/- previous excise year dues from the 4th respondent Managing committee and the same may be adjusted in the future rentals of the petitioner society by declaring the impugned suspension order vide proceedings Cr.No.B1/297/04/P&ESH, dt.9-6-2004 passed by the 1st respondent as illegal in respect of Toddy Group, Toddy shops bearing Licences No.72, 73 and 74, Jaffergunj, Hyderabad, and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.B.SAI RAM GOUD

Counsel for Respondents 1 to 3: The Government Pleader for Prohibition & Excise.

Counsel for Respondent No.4: None appeared.

The Court the stage of admission made the following Order:

Sri B.Sairam Goud, learned counsel for the petitioner seeks permission to withdraw the writ petition with liberty to institute fresh proceedings challenging the order of cancellation.

Accordingly, granting leave and liberty, the writ petition is dismissed as withdrawn. No costs.

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01-09-2004

kdl

To

1 The Superintendent of Prohibition & Excise, Hyderabad Dist. at

Narayanaguda,Hyd.
2 The Dist. Collector (Proh&Excise), Hyderabad Dist.,Nampally

Station Road, Hyderabad

3 The Commissioner of Prohibition & Excise, Govt. of A.P.,at

Nampally,Hyd.
4 Two C.Cs. to the Government Pleader for Prohibition & Excise,

High Court Buildings, A.P., Hyderabad.

5 Two C.D. Copies.